

REQUEST FOR COUNCIL ACTION

MEETING

DATE: 08-04-03

87-

AGENDA SECTION:
PUBLIC HEARINGSORIGINATING DEPT:
PLANNING

ITEM NO.

E-7

ITEM DESCRIPTION: Land Subdivision Permit (Preliminary Plat) #03-19 by Badger Hills LLC to be known as Badger Hills Subdivision. The Plat proposes to subdivide 79.50 acres of land into 171 lots for residential development and 5 outlots. The plat also proposes right-of-way dedication for public roadways. The applicant is also requesting approval of a Substantial Land Alteration to permit site grading that will modify grades by more than 10 feet on portions of the property. The property is located along the north side of Valley High Road NW, west of West Circle Drive and east of 50th Avenue NW.

PREPARED BY:
Theresa Fogarty,
Planner

July 30, 2003

Note: Clarification regarding the requirement for pedestrian facilities along 41st Street NW was discussed, between City Public Works and the Planning Department, see attached Memorandum from Planning Department, dated July 30, 2003.

City Planning and Zoning Commission Recommendation:

The City Planning and Zoning Commission held a public hearing on July 9, 2003 to consider this preliminary plat.

Mr. Mac Hamilton, Chief Manager of Badger Hills LLC, addressed the Commission. He stated that he agree with most of the conditions but had comments on conditions #1 (e), #5, #6 and # 11. Mr. Hamilton also asked the Commission to give consideration with the mid-block connections that lead people directly to and from the neighborhood park, to be considered as parkland.

The Planning Commission found that this preliminary plat will conform with the applicable criteria with the following conditions or modifications:

1. The Plat shall be revised.

- a. ***Adding the directional of NW to 41 Street so it reads "41 Street NW".***
- b. ***Coordinating with the Planning Department – GIS Division, numbering or naming all other roadways within this plat.***
- c. ***The location map on the face of the plat shall be changed to Cascade Township coordinates T107N. Currently location map indicates Rochester Township coordinates T106N.***
- d. ***Providing an additional utility easement along the south lot lines of Lot 1, Block 1 and Lot 1, Block 2, as requested by Rochester Public Utility Water Division Memorandum, dated June 18, 2003 and Operations Division Memorandum, dated June 17, 2003.***
- e. ***Dedicating a 30' wide outlot mid-block connection in the vicinity of Lots 7 & 8 of Block 15, and two 30' wide outlot midblock connections in the vicinity of Lots 9 & 10 and Lots 19 and 20 of Block 11.***
- f. ***Indicating controlled access along the entire frontage of Valleyhigh Drive NW, with the exception of any approved street accesses. Additional controlled access is required within 250 feet of the right-of-way intersection of Valleyhigh Road NW and Avenue "A" and along the entire frontage of 41 Street NW.***
- g. ***Dedicating a public pedestrian facility easement, of sufficient width to accommodate construction and maintenance of said facilities, at no cost to the City for the pedestrian paths along 41st Street NW and Valleyhigh Road NW as shown on the preliminary plat outside of the right-of-way.***

COUNCIL ACTION: Motion by: _____ Second by: _____ to: _____

2. *Dedication of parkland and cash with payments shall be handled in the form outlined in the June 26, 2003 Memorandum from the Rochester Park and Recreation Department. The parkland dedication for Block 1, Lot 1 and Block 2, Lot 2 shall be calculated when the site plans and number of dwelling units are known.*
3. *The applicant shall dedicate Outlot "A" to the City when graded and turf is established and when the site is accessed via public street.*
4. *Upon request by the City, the applicant shall dedicate all 30' wide mid-block pedestrian connection outlots to the City and the owner shall be obligated to grade and construct a 10' wide bituminous pedestrian path for the connection, prior to dedication to the City.*
5. *The roadways leading to the cul-de-sacs appear to be less than 28 feet and shall be posted "No Parking" along both sides of the roadway. 28' wide roads allow for parking on one side only. The cul-de-sacs appear to be less than 96 feet in diameter and shall be posted "No Parking". In addition, "No Parking" shall be allowed on either side of 41st Street NW and on Avenue "A", within 200 feet of the Valleyhigh Road NW right-of-way.*
6. *Development of this plat will be limited to 1200 daily trips until a second access is provided to this property. The phasing of final plats may be required to limit the number of lots being established, prior to construction of the second access.*
7. *The applicant is responsible for identifying wetlands on the property and submitting the information. The applicant is also responsible for completing and providing to the Planning Department, a Wetland Delineation. Any filling of wetland shall require an Alternatives Analysis and Replacement Plan.*
8. *Prior to Final Plat submittal, the applicant shall enter into a Development Agreement with the City that outlines the obligations of the applicant relating to, but not limited to, substandard street reconstruction charges & Traffic Improvement District charges, stormwater management, park dedication, traffic improvements, pedestrian facilities, right-of-way dedication, access and extension of utilities for adjacent property, and contributions for public infrastructure, including the applicants up front contribution required for the extension of the J7710 Sanitary Sewer & Watermain project to serve this property.*
9. *Phasing for development of the northerly portion of this plat with gravity flow sanitary sewer will be dependent on extension of services through the currently undeveloped property east of this plat, or will require a private lift station. A feasibility report has been requested and is being prepared by Public Works for the proposed J7710 Project.*
10. *Grading and Drainage Plan approval is required prior to submitting the final plat. A Stormwater Management Fee shall apply to any areas of this proposed development that do not drain into the existing on-site detention facilities in Badger Ridge.*
11. *Pedestrian facilities shall be required along both sides of all new public roadways within this property, as well as, along the entire northerly frontage of Valleyhigh Road NW. A bituminous pedestrian path shall be required along the 41st Street extension, Valleyhigh Road and all park access points including the mid-block connections, in lieu of a five foot concrete sidewalk.*
12. *Ownership and Maintenance of Outlots "D" and "E" shall be addressed prior to Final Plat approval.*
13. *The applicant shall provide surety that guarantees the site will be fully restored after the completion of the excavation activity. Said surety must be provided prior to commencement of grading activities on the property.*

89

Mr. Quinn moved to recommend approval of Land Subdivision Permit (Preliminary Plat) #03-19 by Badger Hills LLC to be known as Badger Hills Subdivision with staff-recommended findings and conditions as revised by Ms. Baker and also changing condition number 5 to indicate that it would be a 28 foot roadway with parking on one side. Mr. Haeussinger seconded the motion. The motion carried 8-0.

Mr. Quinn moved to recommend approval of the Substantial Land Alteration based on the staff-recommended findings. Ms. Petersson seconded the motion. The motion carried 8-0.

Planning Department Recommendation:

See attached staff report, dated July 2, 2003.

Council Action Needed:

- 1. The Council may approve, approve with conditions, or deny the land subdivision permit. The Council must make findings of fact based on the criteria included in the staff report. A motion to deny must include supporting reasons for a conclusion that at least one of the fifteen findings for denial in paragraph 61.225 can be made.***
- 2. The Council should include a motion to adopt findings to support either approval or denial of the proposed Substantial Land Alteration Activity.***

Attachments:

1. Staff report, dated July 2, 2003.
2. Minutes of the July 9, 2003 CPZC Meeting.
3. Memorandum from Rochester Park & Recreation, dated July 15, 2003.
4. Memorandum from Planning Department, Phil Wheeler, dated July 30, 2003.

Distribution:

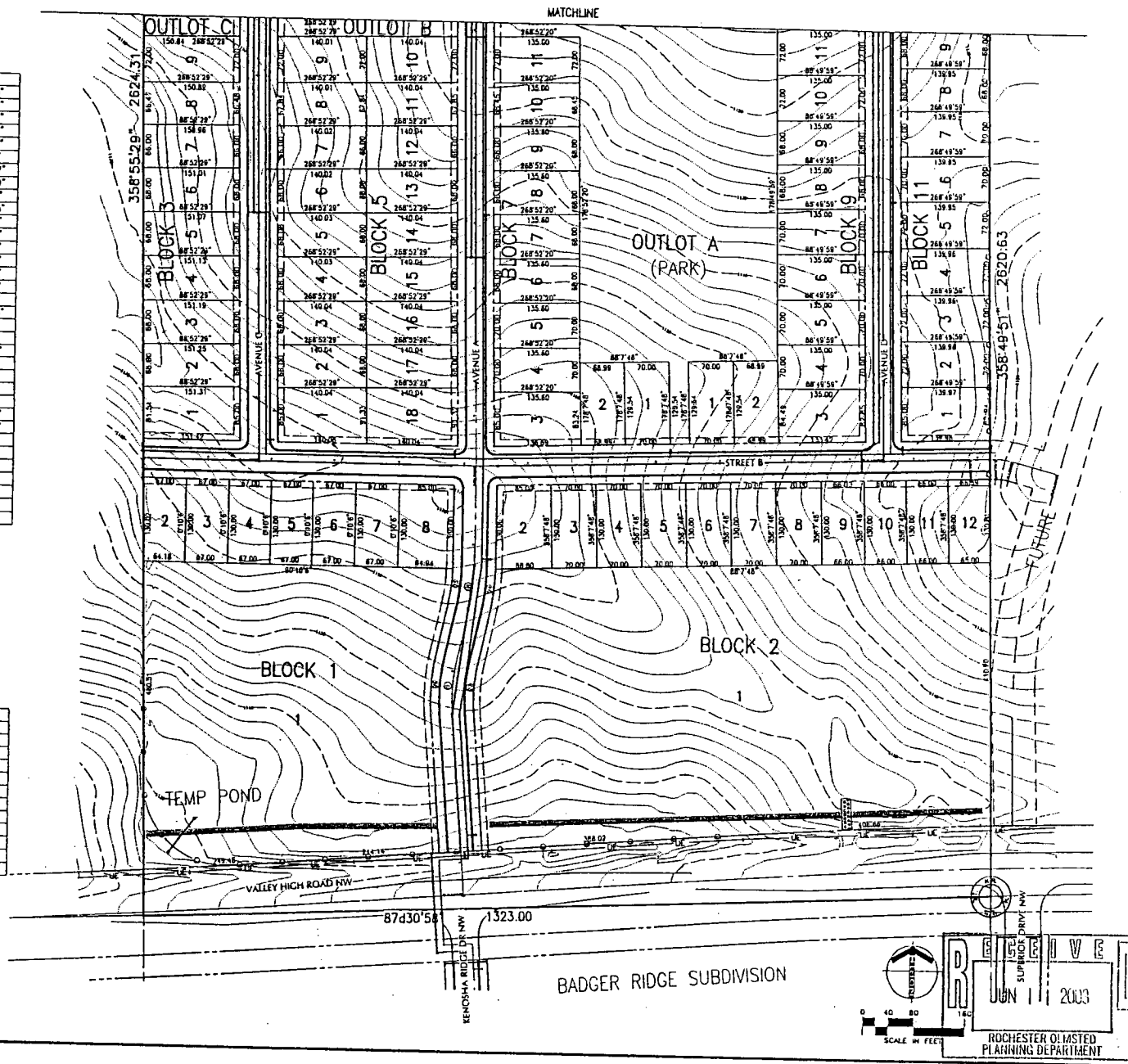
1. City Administrator
2. City Attorney
3. Planning Department File
4. Applicant: This item will be considered sometime after 7:00 p.m. on Monday, August 4, 2003 in the Council Chambers at the Rochester / Olmsted County Government Center.
5. Yaggy Colby Associates

(CURVES THAT APPEAR ON SHEET 1)

NUMBER	LENGTH	DELTA	RADIUS	CHORD	CHAZ
1	115.51	17°25'1"	380.00	115.07	187°35'0"
2	87.27	17°25'1"	320.00	96.00	187°35'0"
3	23.40	18°37'24"	72.00	23.30	96°58'48"
4	41.61	18°37'24"	128.00	41.42	96°58'48"
5	42.69	43°40'46"	56.00	41.67	211°52'3"
6	261.31	287°21'32"	56.00	81.00	88°50'0"
7	42.69	43°40'46"	56.00	41.67	336°59'37"
8	42.69	43°40'46"	56.00	41.67	200°21'19"
9	261.31	287°21'32"	56.00	81.00	88°30'46"
10	42.69	43°40'46"	56.00	41.67	336°40'23"
11	180.51	16°9'35"	640.00	179.91	96°57'17"
12	157.94	16°9'35"	560.00	157.42	96°57'17"
13	694.21	21°14'10"	1873.00	690.25	94°24'59"
14	716.82	21°14'10"	1953.00	712.80	94°31'11"
15	115.64	16°9'35"	410.00	115.25	96°57'17"
16	99.84	16°9'35"	354.00	99.51	96°57'17"
17	516.48	14°4'18"	2103.00	515.19	97°58'55"
18	570.37	15°8'12"	2159.00	568.72	277°14'26"
19	41.48	42°26'9"	56.00	40.53	69°44'41"
20	167.83	171°42'57"	56.00	111.71	134°23'5"
21	40.47	41°24'35"	56.00	39.60	189°52'16"
22	36.11	16°9'44"	128.00	35.99	65°12'12"
23	20.31	16°9'44"	72.00	20.24	65°12'12"
A	106.39	17°25'1"	350.00	105.98	187°35'0"
B	32.50	18°37'24"	100.00	32.12	96°58'48"
C	169.23	16°9'35"	600.00	168.66	276°57'17"
D	705.44	21°7'42"	1913.00	701.45	274°28'13"
E	104.74	16°9'35"	382.00	103.99	96°58'57"
F	558.96	16°6'14"	2131.00	557.38	96°57'17"
G	28.21	16°9'44"	100.00	28.12	65°12'12"

(CURVES THAT APPEAR ON SHEET 2)

NUMBER	LENGTH	DELTA	RADIUS	CHORD	CHAZ
24	73.02	12°33'47"	333.00	72.87	8°4'16"
25	58.54	12°33'47"	267.00	58.43	8°4'16"
26	98.10	16°52'44"	333.00	97.74	183°54'47"
27	78.66	16°52'44"	267.00	78.37	183°54'47"
H	65.78	12°33'47"	300.00	65.85	8°4'16"
I	88.36	16°52'44"	300.00	88.06	354°47"



ENGINEERS • ARCHITECTS
SURVEYORS • PLANNERS
LANDSCAPE ARCHITECTS
717 THIRD AVENUE SOUTHWEST
ROCHESTER, MINNESOTA 55901
PHONE 784-3888 FAX 784-3888
EMAIL INFO@YAGGYCOLBY.COM

THESE CERTIFICATES HAVE BEEN PREPARED BY ME OR UNDER MY CLOSE SUPERVISION AND THEY ARE A TRUE AND CORRECT REPRESENTATION OF THE FACTS AND FIGURES UNDER THE LAWS OF THE STATE OF MINNESOTA.

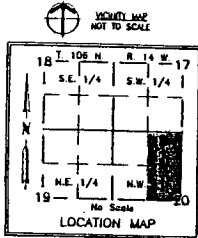
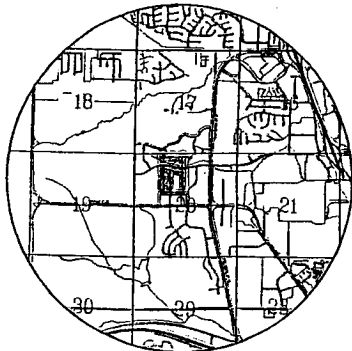
BILL ANDERSON
NUMBER DATE

BADGER HILLS SUBDIVISION
ROCHESTER, MINNESOTA
PRELIMINARY PLAT

PROJECT NUMBER
COMPUTER FILE 7324P-PLN
DATE 06/11/03
DRAWN BY HEM
CHECKED BY WSA
REVISIONS
SHEET NUMBER

2
33 SHEETS

ROCHESTER PLANNING DEPARTMENT
JUN 1 2003
BADGER RIDGE SUBDIVISION
SUPERIOR DRIVE NW
SCALE IN FEET



BEARINGS

Plot bearings are Minnesota State Plane Grid Azimuths measured to the right from grid north.

OWNER/DEVELOPER

BADGER HILLS LLC
400 SO. BROADWAY
SUITE 1100
ROCHESTER, MINNESOTA 55904

LAND SURVEYOR

DOUGLAS G. RUDE
LS 22422
YAGGY COLBY ASSOCIATES

BIKE TRAIL

10' WIDE

IR HILL SUBDIVISION

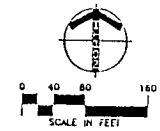
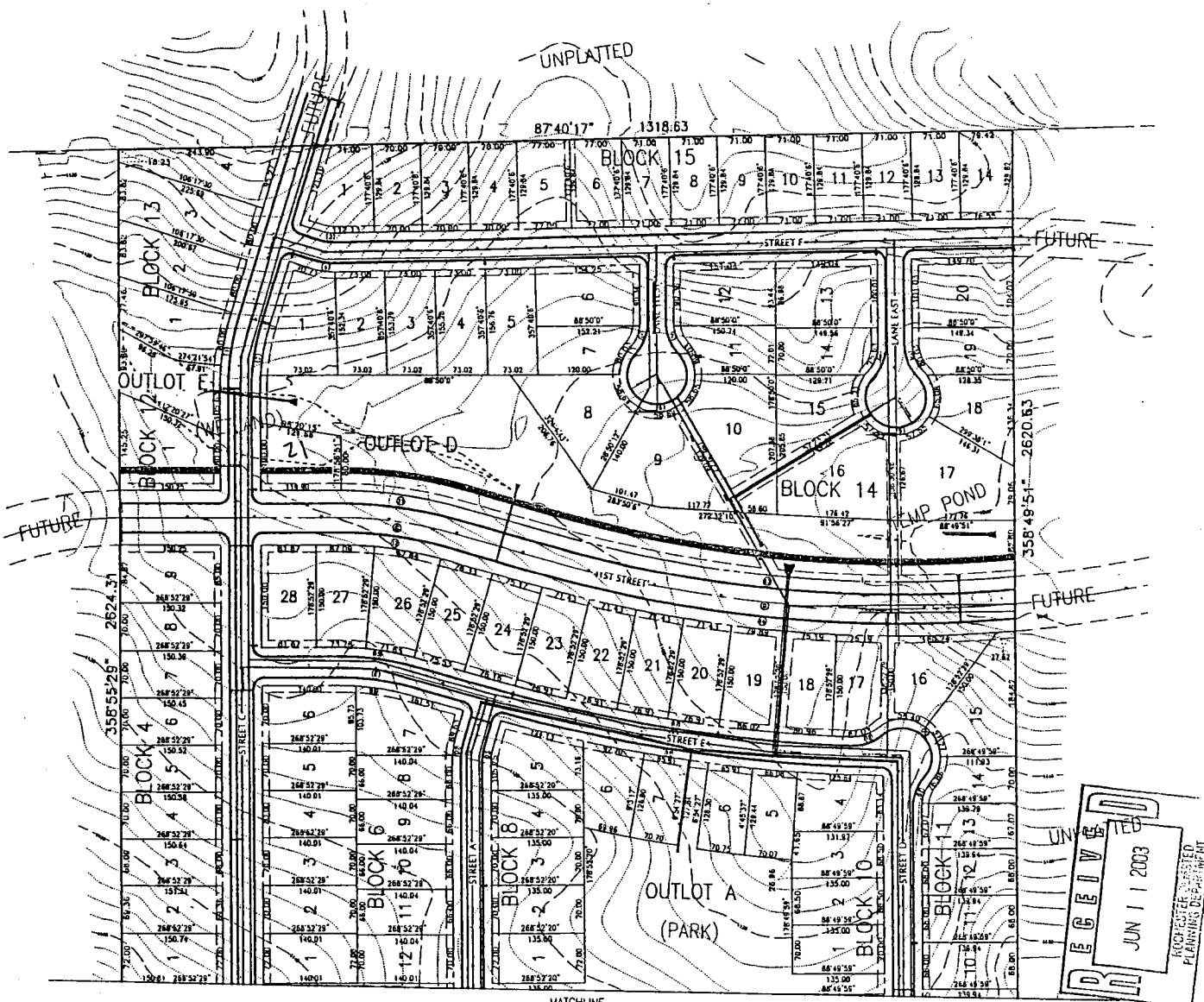
MILITARY DESCRIPTION

WEST HALF OF THE NORTHWEST QUARTER OF SECTION 20,

T1P 107 NORTH, RANGE 14 WEST, OLUSTED COUNTY, MINNESOTA.

TRACT CONTAINS 79.50 ACRES MORE OR LESS.

TRACT ALSO SUBJECT TO RIGHT-OF-WAY EASEMENT OF C.S.A.H. NO. 4.



ENGINEERS • ARCHITECTS
SURVEYORS • PLANNERS
LANDSCAPE ARCHITECTS
717 THIRD AVENUE SOUTH
ROCHESTER, MINNESOTA 55904
612-338-2800
FAX 612-338-2801
EMAIL INFO@YCA.COM

THESE PLANS, SPECIFICATIONS, OR MATERIALS WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THEY ARE A TRUE AND CORRECT REPRESENTATION OF THE WORK AS DONE BY ME OR UNDER MY SUPERVISION.

BILL ANDERSON
NUMBER DATE

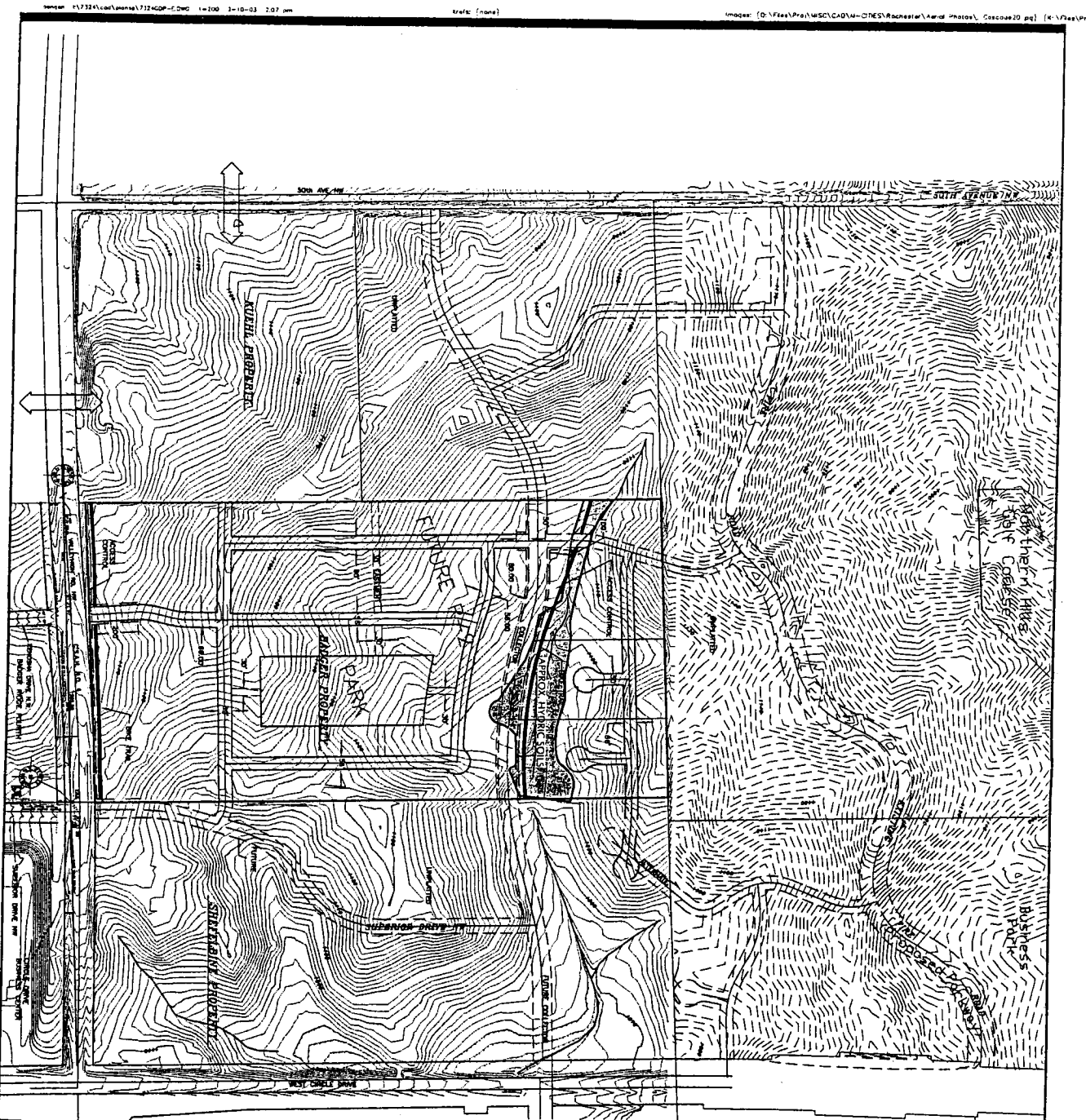
BADGER HILLS SUBDIVISION
ROCHESTER, MINNESOTA
PRELIMINARY PLAT

PROJECT NUMBER
COMPUTER FILE 2324P-PLA
DATE 06/11/03
DRAWN BY MCL
CHECKED BY WSA
REVISIONS

SHEET NUMBER
1
OF 33 SHEETS

120

92



RECEIVED
FEB 18 2003
ROCHESTER-OLMSTED
PLANNING DEPARTMENT

REVISED



COUNTY OF
Olmsted



Rochester-Olmsted Planning Department
2122 Campus Drive SE - Suite 100
Rochester, MN 55904-4744
(507) 285-8232

GDP #172 Verna Badger Parcel/Badger Hills

Rochester Common Council approved GDP #172, on March 4, 2002 subject to 9 conditions/modifications. The Plan approved by Council was dated REVISED January 23, 2002.

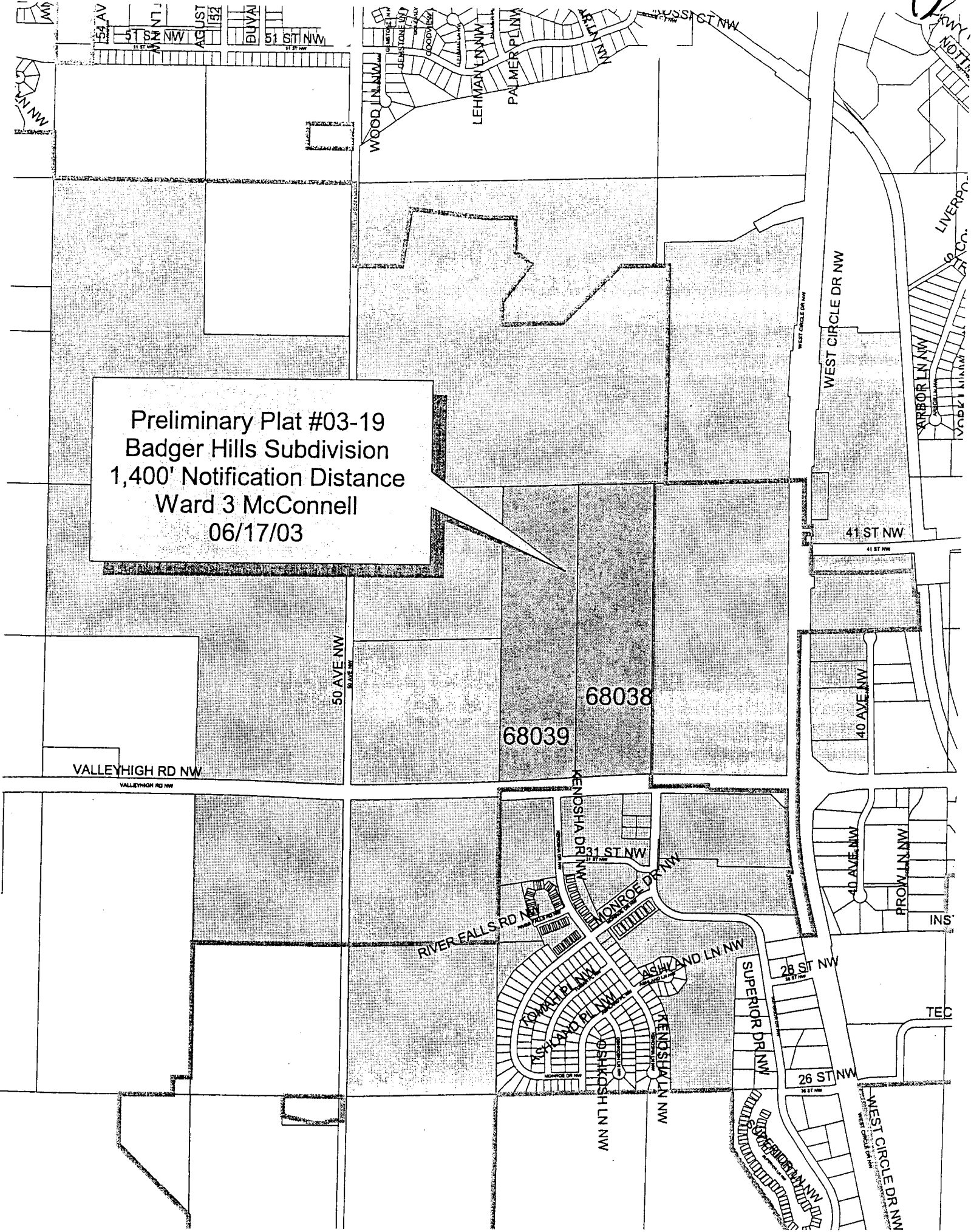
The attached Plan dated REVISED February 18, 2003 is intended to address condition #7, regarding future alignment of the westward extension of 41st Street NW. Other modifications to roadway alignments were also made. Road alignments will be formalized through the Platting process. Alignments identified on adjacent properties are conceptual only. GDP #172 only includes the Verna Badger Parcel/Badger Hills.

BAI
ROCHE

GENERAL DEVELOPMENT PLAN

DATE	7/23/02
BY	BAI
CHECKED BY	BAI
APPROVED	
DATE	7/23/02
BY	BAI
CHECKED BY	BAI
APPROVED	

Preliminary Plat #03-19
Badger Hills Subdivision
1,400' Notification Distance
Ward 3 McConnell
06/17/03



OK

ROCHESTER – OLMSTED PLANNING DEPARTMENT
2122 CAMPUS DRIVE SE, SUITE 100, ROCHESTER, MN, 55904-4744
PH: (507) 285-8232 FAX: (507) 287-2275

To: Theresa Fogarty, Planner
C: Richard Freese, PE, Rochester Public Works Director
From: Phil Wheeler, AICP, Planning Director
Date: July 30, 2003
Re: Badger Hills Preliminary Plat #03-19

At the Planning and Zoning Commission meeting of July 9, in response to the issue you raised in your staff report of July 2 with regard to pedestrian facilities along 41st Street NW, the applicant (Mac Hamilton) reported that the draft Development Agreement for the property had waived the requirement for pedestrian facilities along the south side of 41st Street NW. I have explored this issue with Richard Freese and confirmed that Public Works has negotiated with the applicant to eliminate this requirement in exchange for right of way dedication and the reservation of land along the south side of 41st Street NW for future acquisition by the City. Public Works Director Richard Freese explained his reasoning for this based on projected traffic flows along 41st Street warranting a design as a minor arterial.

We would recommend requiring pedestrian facilities along all streets in the neighborhood, including 41st Street NW. It is certain that 41st Street NW will function as a collector or minor arterial, carrying significant amounts of traffic. In addition, 41st Street provides access for this neighborhood to major employers in the vicinity, as well as commercial uses, neighborhood parks in Lincolnshire, and the Douglas Trail. It could serve as a significant corridor for pedestrian and bicycle travel between the neighborhoods west of Circle Drive and attractions on the east side. Requiring these movements to cross 41st Street to get to a trail on the north side presents both a deterrent to such movements and a potential safety hazard.

However, based on the precedent established with Spruce Meadows (where a sidewalk along an interior street was not required because the properties would be served by a pedestrian facility along 11th Avenue SE), the Council has established a basis for waiving the requirement for a pedestrian facility. In my opinion, if the Council decides to proceed with waiving this requirement, the facility that should be eliminated is the sidewalk serving the north side of the interior street. That street will be a local or minor local street with minimal traffic conflicts for pedestrians.



ROCHESTER PARK AND RECREATION DEPARTMENT

July 15, 2003

TO: Mitzi Baker, Planning
Theresa Fogarty, Planning

FROM: Denny Stotz

RE: Badger Hills

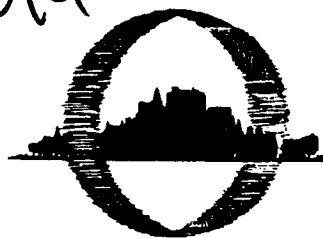
I understand the issue to be: "do mid-block connections qualify for parkland dedication credit"? No

In the case of Badger Hills, the 30' accesses to the neighborhood park would certainly qualify. The four accesses are actually part of the outlot that will be dedicated and are not really mid-block connections. Nevertheless, they look like mid-block connections so I thought I'd address them.

The issue of connections that are not direct and adjacent to the park connections has been raised by others in the past. In administering the dedication ordinance, the Park Department has taken the position that a trail or sidewalk corridor that provides direct connection to a neighborhood park should qualify for parkland dedication if the applicant installs the trail / sidewalk. The amount of credit is determined by the width and length of the actual trail installed. The corridor would be owned by the City and maintained by the Park Department. Authority for extending dedication credits for trail corridor connections to neighborhood parks was included in the 1999 amendment to parkland dedication requirements of the platting ordinance.

If the trail or walk does not make a direct off-road connection to the park, then it should not qualify. In the Badger Hill scenario, the mid-block connections do not provide a direct connection...the connections terminate at a street and not at the neighborhood park.

94



ROCHESTER-OLMSTED PLANNING DEPARTMENT

2122 Campus Drive SE, Suite 100 • Rochester, MN 55904-4744

COUNTY OF

Olmsted

www.olmstedcounty.com/planning



TO: City Planning and Zoning Commission

FROM: Theresa Fogarty, Planner

DATE: July 2, 2003

RE: Land Subdivision Permit (Preliminary Plat) #03-19 by Badger Hills LLC to be known as Badger Hills Subdivision. The Plat proposes to subdivide 79.50 acres of land into 171 lots for residential development and 5 outlots. The plat also proposes right-of-way dedication for public roadways. The applicant is also requesting approval of a Substantial Land Alteration to permit site grading that will modify grades by more than 10 feet on portions of the property. The property is located along the north side of Valley High Road NW, west of West Circle Drive and west of 50th Avenue NW.

Planning Department Review:

Applicant/Owner:

Badger Hills LLC
Riverside Building, Suite 100
400 South Broadway
Rochester, MN 55904

Surveyors/Engineers:

Yaggy Colby Associates
717 Third Avenue SE
Rochester, MN 55904

Referral Comments:

RPU Water Division
RPU Operations Division
Park and Rec. Department
Rochester Public Works Department
Planning Department - Addressing staff
Rochester Fire Department
Wetlands LGU

Report Attachments:

1. Land Development Manual Excerpts
2. Referral Comments (7 letters)
3. Location Map
4. Copy of Preliminary Plat
5. General Development Plan
6. Memo from Yaggy Colby Associates, dated June 9, 2003.
7. Copy of Substantial Land Alternation Map



97

Development Review:

Location of Property:

The property is located along the north side of Valley High Road NW, west of West Circle Drive and west of 50th Avenue NW.

Zoning:

The property is currently zoned R-2 (Low Density Residential) district on the City of Rochester Zoning Map.

Proposed Development:

This development consists of 79.50 acres of land to be subdivided into 171 lots for residential development and five outlots.

Roadways:

This plat proposes to dedicate right-of-way for seven new roadways.

Roadways less than 28 feet in width shall be posted "No Parking" on both sides of the roadway. Streets less than 36 feet in width shall be posted "No Parking" on one side of the roadway. The roadway leading to the cul-de-sacs appear to be less than 28 feet and therefore will require "No Parking" signage posted on both sides of the roadway.

Cul-de-sacs less than 96 feet in diameter shall be posted "No Parking". The cul-de-sacs appears to be less than 96 feet in diameter and therefore shall be posted "No Parking".

41 Street is being called out without a directional. Add the directional of NW so it reads "41 Street NW". All roadways within this plat need have the numbering or naming coordinated with the Planning Department – GIS Division.

Controlled access shall be required along the entire frontage of Valleyhigh Road NW, with the exception of any approved street access. Additional control access is required within 250 feet of the right-of-way intersection of Valley High Road NW and Avenue "A", and along the entire frontage of 41st Street NW. No parking shall be allowed on either side of 41st Street NW and on Avenue "A" within 200 feet of the Valleyhigh Road NW right-of-way.

Development will be limited to 1200 daily trips until a second access is provided to this property.

Pedestrian Facilities:

In accordance with current City policy Pedestrian Facilities are required along both sides of all new public roadways within this property, as well as along the entire northerly frontage of Valleyhigh Road NW.

98

**Pedestrian Facilities
(Continued):**

A bituminous pedestrian path will be required along the 41st Street extension, Valleyhigh Road and all park access points including the mid-block connection, in lieu of the five foot concrete sidewalk.

Section 64.227 of the Land Development Manual requires the dedication of trails needed to maintain connectivity between and through subdivisions under the following circumstance "Across any block exceeding 800 feet in length". According to the proposed preliminary plat, Block 11 and Block 15 exceed the 800 feet in length. A mid-block connection (30' wide outlot) is required providing future connection from Block 15 to the unplatted land north of this proposed plat. Staff is suggesting that the mid-block connections be placed in the vicinity of Lots 7 & 8 of Block 15. Two mid-block connections (30' wide outlots) are required connectivity between Block 11 along "Street E" and along "Street/Avenue D". Staff is suggesting that the mid-block connections be placed in the vicinity of Lots 9 & 10 and Lots 19 & 20 of Block 11. Upon request by the City, the 30' wide mid-block pedestrian connection outlots (including Outlots B and C) shall be deeded to the City as a mid-block connection and the owner shall be obligated to grade and construct a 10' wide bituminous pedestrian path for this connection, prior to dedication to the City.

The pedestrian paths along 41st Street NW and Valley High Road NW are shown on the preliminary plat outside of the right-of-way. The Owner is obligated to dedicate a public pedestrian facility easement, of sufficient width to accommodate construction and maintenance of said facilities, at no cost to the City.

Drainage:

Grading and Drainage Plan approved is required prior to submitting the final plat.

Wetlands:

The property generally drains to the north-east. A Stormwater Management Fee will apply to any areas of this proposed development that do not drain to the existing on-site detention facilities in Badger Ridge. Minnesota Statutes now requires that all developments be reviewed for the presence of wetlands or hydric soils. Based on the Soil Survey, hydric soils exist on the site. The property owner is responsible for identifying wetlands on the property and submitting the information as part of this application. No wetland delineation has been completed and provided to the Planning Department. Any filling of wetland will require an alternatives analysis and replacement plan.

99

Public Utilities:

Static water pressures within this area will range from 49 to 79 PSI.

An additional 10' wide utility easement is required along the south lot lines of Lot 1, Block 1 and Lot 1, Block 2.

Additional utility easements and water system improvements are needed on Lot 1, Block 1 and Lot 1, Block 2 as these areas develop. These should be planned out at this time, so stub-outs can be properly installed for looping of the water mains to provide adequate fire flows and water quality to these areas.

Phasing for the development of the northerly portion of this proposed plat with gravity flow sanitary sewer will be dependent on extension of services through the currently undeveloped property east of this plat, or will require a private lift station. A feasibility report has been requested and is being prepared by Public Works for the proposed J7710 project.

Spillover Parking:

As per Section 63.426 of the LDM, all residential development must provide spillover parking for service vehicles and visitors. This development requires 206 spillover parking stalls. It appears as though the additional parking can be accommodated on the roadways and most likely within private driveways, as well.

Parkland Dedication:

The City Park and Recreation Department recommends that dedication requirements be met via: combination of land (5.0 acre Outlot A) and cash with payments due prior to recordation of the final plat.

The applicant shall be required to submit the proposed grading plan for the park site (Outlot A) to the Park and Recreation Department for review.

Outlot "A" shall be deeded to the City when graded and turf has been established and when the site is accessed via public street.

The parkland dedication for Block 1, Lot 1 and Block 2, Lot 2 shall be calculated when the site plans and the number of dwelling units are known.

General Development Plan:

This property is included within the Badger Hills General Development Plan (GDP).

Substantial Land Alteration:

This application includes a request for approval of land disturbing activities defined as Substantial Land Alteration according to Section 61.1101, B of the Rochester Zoning Ordinance and Land Development Manual (LDM). Section 62.1102 of the LDM allows the City to consider a request for excavation or substantial land alteration as part of a Type III application, such as a preliminary plat, subject to making findings established in Section 62.1105 and 61.146 of the LDM.

This development includes a proposal for cut and fill work which involves a grade change of 10-feet or more from the pre-existing grades. The approximate area where the grade is proposed to be changed, Block 7, Lots 1-5, Block 9, Lot 1 and outlot A will be cut and Block 12, Lot 1, Block 13, Lot 1, Block 14, Lots 1-11 & Lots 15-20 and Outlot E will be filled.

Sections 61.146, 62.1102 and 62.1105 of the LDM are attached.

Staff Suggested Findings:

If the City Council approves the proposed substantial land alteration, staff recommends the following findings to Section 62.1105 and 61.146 of the Rochester Zoning Ordinance and Land Development Manual:

62.1105

- 1) The activity should not result in danger to life or property. Generally, the top of the existing hill will be regarded to be suitable for residential uses. The grading and drainage plans will need to comply with City standards and be approved by the Rochester Public Works Department.
- 2) The grading plan for this project needs to be approved by the Rochester Public Works Department and it will document the extent of the work. All cut material will be used to level area within this plat to more suitable grades for residential uses. Noise and dust control will need to comply with City standards.
- 3) The equipment conducting the grading work on the property will also be the equipment utilized to move the earth. All materials will stay on-site, it will not be necessary to truck in fill or haul fill from the site, which will minimize the impact on the surroundings roads.
- 4) The proposed excavation work should not affect air quality or ground and surface water quality.
- 5) The proposed grading work should not adversely affect the scenic quality of Rochester. There will not be any steep slopes or exposed rock faces. The natural topography of the area is being re-graded to provide adequate slopes for residential uses.
- 6) The result of the proposed activity will be compatible with existing development and development anticipated in the future. The finished result of the grading work will allow for development that is consistent with the land use plan.
- 7) The grading will be confined to the property and should not affect the use and enjoyment of adjacent properties. The duration of the excavation activity is expected to be completed in one phase, during the summer of 2003.
- 8) The grading will only take place during one phase, during the summer of 2003. There are no homes in the immediate area that will be visually affected by the grading activity. Noise and dust control will need to comply with City standards.

101

- 9) The grading and drainage plan will need to provide the proper restoration and stabilization in accordance with the adopted codes for the City of Rochester.
- 10) The grading and drainage plans will need to be reviewed and approved by the City. Stormwater management will be required for the development.
- 11) The areas of grading do not contain sinkholes or wetlands and should not effect the ground water or surface quality once restoration and stabilization is completed.
- 12) The grading work is expected to be completed in one phase, during the summer of 2003. The duration seems appropriate for this type of activity and the size of the project.
- 13) The Rochester Public Works Department will need to review and approve the grading and drainage plan for this work. This plan must accommodate permanent and interim erosion and sediment control.
- 14) Surety will need to be provided that guarantees the site will be fully restored after the completion of the excavation activity. This surety can be provided through the owner-contract process for this development. If grading is to occur prior to an owner-contract, a separate surety will need to be provided.
- 15) The grading and drainage plan will need to be approved by the Rochester Public Works Department prior to any grading on the property.

The Planning Staff would suggest the following findings for Section 61.146:

- 1) Not applicable.
- 2) Not applicable.
- 3) Not applicable.
- 4) The Rochester Public Works Department will need to review and approve the grading and drainage plan for this work. This plan must accommodate permanent and interim erosion and sediment control.
- 5) Not applicable.
- 6) Not applicable.
- 7) Not applicable.
- 8) Not applicable.

Preliminary Plat Staff Review and Recommendation:

Section 61.225 of the Land Development Manual lists the findings which must be considered by the Planning Commission and the Council when reviewing a land subdivision permit application. This section is attached for your information.

The Planning staff has reviewed this preliminary plat request for compliance with the Rochester Zoning Ordinance and Land Development Manual including Section 61.225 of the LDM. A Development Agreement has been executed with the City, therefore the staff recommends approval with the following conditions / modifications:

- 1. The Plat shall be revised:**
 - a. Adding the directional of NW to 41 Street so it reads "41 Street NW".**
 - b. Coordinating with the Planning Department – GIS Division, numbering or naming all other roadways within this plat.**
 - c. The location map on the face of the plat shall be changed to Cascade Township coordinates T107 N. Currently location map indicates Rochester Township coordinates T106 N.**
 - d. Providing an additional utility easement along the south lot lines of Lot 1, Block 1 and Lot 1, Block 2, as requested by Rochester Public Utility Water Division Memorandum dated June 18, 2003 and Operations Division Memorandum dated June 17, 2003.**
 - e. Dedicating a 30' wide outlot mid-block connection in the vicinity of Lots 7 & 8 of Block 15, and two 30' wide outlot mid-block connections in the vicinity of Lots 9 & 10 and Lots 19 & 20 of Block 11.**
 - f. Indicating controlled access along the entire frontage of Valleyhigh Drive NW, with the exception of any approved street accesses. Additional controlled access is required within 250 feet of the right-of-way intersection of Valleyhigh Road NW and Avenue "A" and along the entire frontage of 41st Street NW.**
 - g. Dedicating a public pedestrian facility easement, of sufficient width to accommodate construction and maintenance of said facilities, at no cost to the City for the pedestrian paths along 41st Street NW and Valleyhigh Road NW as shown on the preliminary plat outside of the right-of-way.**
- 2. Dedication of parkland and cash with payments shall be handled in the form outlined in the June 26, 2003 Memorandum from the Rochester Park and Recreation Department. The parkland dedication for Block 1, Lot 1 and Block 2, Lot 2 shall be calculated when the site plans and number of dwelling units are known.**
- 3. The applicant shall dedicate Outlot "A" to the City when graded and turf is established and when the site is accessed via public street.**
- 4. Upon request by the City, the applicant shall dedicate all 30' wide mid-block pedestrian connection outlots to the City and the owner shall be obligated to grade and construct a 10' wide bituminous pedestrian path for the connection, prior to dedication to the City.**
- 5. The roadways leading to the cul-de-sacs appear to be less than 28 feet and shall be posted "No Parking" along both sides of the roadway. The cul-de-sacs appear to be less than 96 feet in diameter and shall be posted "No Parking". In addition, "No Parking" shall be allowed on either side of 41st Street NW and on Avenue "A", within 200 feet of the Valleyhigh Road NW right-of-way.**

103

6. *Development of this plat will be limited to 1200 daily trips until a second access is provided to this property.*
7. *The applicant is responsible for identifying wetlands on the property and submitting the information. The applicant is also responsible for completing and providing to the Planning Department, a Wetland Delineation. Any filling of wetland shall require an Alternatives Analysis and Replacement Plan.*
8. *Prior to Final Plat submittal, the applicant shall enter into a Development Agreement with the City that outlines the obligations of the applicant relating to, but not limited to, substandard street reconstruction charges & Traffic Improvement District charges, stormwater management, park dedication, traffic improvements, pedestrian facilities, right-of-way dedication, access and extension of utilities for adjacent properties, and contributions for public infrastructure, including the applicants up front contribution required for the extension of the J7710 Sanitary Sewer & Watermain project to serve this property.*
9. *Phasing for development of the northerly portion of this plat with gravity flow sanitary sewer will be dependent on extension of services through the currently undeveloped property east of this plat, or will require a private lift station. A feasibility report has been requested and is being prepared by Public Works for the proposed J7110 Project.*
10. *Grading and Drainage Plan approval is required prior to submitting the final plat. A Stormwater Management Fee shall apply to any areas of this proposed development that do not drain into the existing on-site detention facilities in Badger Ridge.*
11. *Pedestrian Facilities shall be required along both sides of all new public roadways within this property, as well as, along the entire northerly frontage of Valleyhigh Road NW. A bituminous pedestrian path shall be required along the 41st Street extension, Valleyhigh Road and all park access points including the mid-block connections, in lieu of a five foot concrete sidewalk.*
12. *Ownership and Maintenance of Outlots "D" and "E" shall be addressed prior to Final Plat approval.*
13. *The applicant shall provide surety that guarantees the site will be fully restored after the completion of the excavation activity. Said surety must be provided prior to commencement of grading activities on the property.*

Reminder to Applicant:

- Prior to development, the property owner will need to execute a City / Owner Contract for construction of all public infrastructure and utilities to serve this subdivision.
- This Plat is subject to the Subdivision regulations which became effective May 15, 1999. Approved grading, drainage and construction plans will need to be submitted with the final plat application, if the applicant intends to record the final plat documents prior to completion of infrastructure improvements.

104

CITY OF ROCHESTER
ZONING ORDINANCE AND LAND DEVELOPMENT MANUAL
EXCERPTS

61.225 Finding for Land Subdivision:

The Zoning Administrator, Commission or Council shall approve a development permit authorizing a land subdivision if all of the following findings with respect to the proposed development are made:

- A. The proposed land subdivision conforms to all relevant requirements of this ordinance and variances have been granted to permit any nonconformance.
- B. That the proposed water system and sanitary sewer system are adequate to serve the normal and fire protection demands of proposed development and to provide for the efficient and timely extension to serve future development.
- C. That the plan for soil erosion and stormwater management meets the adopted standards of the City of Rochester and is consistent with the adopted Stormwater Management Plan or adopted drainage or stormwater policies.
- D. That the vehicular and non-motorized system is consistent with adopted transportation plans and is consistent with the street layout standards listed in Section 64.120 and traffic service standards in Section 61.526.
- E. That the lot and block layout provide for safe and convenient vehicular, service and emergency access, efficient utility service connections, and adequate buildable area in each lot for planned uses.
- F. That the proposed land subdivision has taken into account the current 6-Year and other Long-Range Capital Improvements Programs and the elements listed therein in the design of the subdivision.
- G. That the proposed subdivision, if in a resident zoning district, -addresses the need for spillover parking consistent with the requirements of Section 63.426.
- H. That right-of-ways and easements of adequate size and dimensions are -provided for the purpose of constructing the street, utility, and drainage facilities needed to serve the development.
- I. That the proposed parks, trail thoroughfares and open space dedications are consistent with adopted plans, policies and regulations.
- J. That the proposed subdivision will not have off-site impacts on the street, drainage, water or wastewater systems that exceed adopted standards.
- K. That the proposed subdivision will not have adverse impacts on the safety or viability of permitted uses on adjacent properties.
- L. That the proposed land subdivision is designed in such a manner as to allow for continued development in an efficient manner on adjacent undeveloped lands.

Effective May 15, 1999

105 -

- M. That the soils, topography and water tables have been adequately studied to ensure that all lots are developable for their designated purposes.
- N. That the proposed land subdivision is consistent with the standards of the City's adopted Comprehensive Plan.
- O. That any land located within Zone A as shown as on the currently adopted Flood Boundary and Floodway Maps of the Flood Insurance Study, Rochester, Minnesota prepared by the Federal Emergency Management Agency, is -determined to be suitable for its intended use and that the proposed subdivision adequately mitigates the risks of flooding, inadequate drainage, soil and rock formations with severe limitation for development, severe erosion potential or any other floodplain related risks to the health, safety or welfare of the future residents of the proposed subdivision in a manner consistent with this ordinance.
- P. That the proposed land subdivision, if approved, would not result in a violation of federal or state law, or the city or county ordinance.

61.226 Conditions on Approvals:

In considering an application for development permit to allow a land subdivision, the approving body shall consider and may impose modification or conditions to the extent that such modifications or conditions are necessary to insure compliance with the criteria of Section 61.225.

Effective May 15, 1999

Land Development Manual Excerpts Substantial Land Alteration

62.1102 Exempt Activities:

- 1) Except as required for a reclamation plan, which may be imposed on any of the following activities as part of any required City permit or approval process, the provisions of these Sections 62.1100 through 62.1113 shall not apply to the following activities:
 - a) The land area included within 15' or as reasonably defined by the City Engineer to allow soil stabilization of the identified boundaries of a building submitted for a building footing and foundation permit.
 - b) Stormwater management facilities or other public infrastructure approved by the City.
 - c) Excavations or blasting for wells, tunnels or utilities that have received all necessary governmental approvals.
 - d) Refuse disposal sites controlled by other applicable City, State or federal regulations.
 - e) On-going cemetery (burial) operations.
 - f) Development activity for which a general development plan, subdivision permit or other Type III approval has resulted in the review of the proposed cut and fill work and for which a grading permit is required. To qualify for this exemption, the Council shall have made the findings established in Section 62.1105.
 - g) Uses in the Central Development Core (CDC) District.

62.1105 Findings Necessary for Issuance of a Conditional Use Permit:

The City shall approve a conditional use permit authorizing an excavation activity only if all of the following findings with respect to the proposed activity are made, in addition to those listed in Section 61.146:

- 1) The activity will not result in a danger to life or property due to (1) steep or unstable slopes, (2) unsafe access to the property, (3) excessive traffic, or (4) proximity to existing or planned residential areas, parks and roadways;
- 2) Visual, noise, dust, and/or excessive on- or off-site environmental impacts on public parks, roadways and residential areas can be adequately mitigated by the Applicant and a fully detailed plan is submitted by the Applicant to demonstrate the mitigation methods to be used, the cost of such mitigation, the source of funds for such mitigation, and adequate legal assurance that all of such mitigation activities are carried out;
- 3) The use of trucks and heavy equipment will not adversely impact the safety and maintenance of public roads providing access to the site, or such impacts will be mitigated;
- 4) The proposed use will not adversely affect air quality or ground water or surface water quality;

107

- 5) The proposed use will not adversely affect the scenic quality of Rochester or the natural landscapes, environment, wildlife and wildlife habitat; or if such effects are anticipated to occur, the reclamation plan provides for adequate restoration of the site following completion of the excavation activity;
 - 6) The activity will be compatible with existing development and development anticipated in the future, including other uses as shown in the Comprehensive Plan, including but not limited to: patterns of land use, recreational uses, existing or planned development, public facilities, open space resources and other natural resources;
 - 7) The activity will not unduly affect the use and enjoyment of adjacent properties;
 - 8) The site plan provides for adequate buffers and screening year-round from unsightly features of the excavation operation;
 - 9) The reclamation plan provides for adequate and appropriate restoration and stabilization of cut and fill areas;
 - 10) The excavation activity will not result in negative impacts on drainage patterns or stormwater management facilities;
 - 11) The proposed activity will minimize impacts on sinkholes, wetlands and other natural features affecting ground water or surface water quality;
 - 12) The intensity and the anticipated duration of the proposed excavation activity is appropriate for the size and location of the activity;
 - 13) Permanent and interim erosion and sediment control plans have been approved by the City;
 - 14) Surety has been provided that guarantees the site will be fully restored, after completion of the excavation activity, to a safe condition, and one that permits reuse of the site in a manner compatible with the Comprehensive Plan, neighborhood plans, the Land Use Plan and applicable City policies.
 - 15) The proposed activity complies with the requirements of the adopted building code.
- 61.146 **Standards for Conditional Uses:** The zoning administrator, Commission, or Council shall approve a development permit authorizing a conditional use unless one or more of the following findings with respect to the proposed development is made:
- 1) Provisions for vehicular loading, unloading, parking and for vehicular and pedestrian circulation on the site and onto adjacent public streets and ways will create hazards to safety, or will impose a significant burden upon public facilities.
 - 2) The intensity, location, operation, or height of proposed buildings and structures will be detrimental to other private development in the neighborhood or will impose undue burdens on the sewers, sanitary and storm drains, water or similar public facilities.

- 3) The provision for on-site bufferyards and landscaping does not provide adequate protection to neighboring properties from detrimental features of the development.
- 4) The site plan fails to provide for the soil erosion and drainage problems that may be created by the development.
- 5) The provisions for exterior lighting create undue hazards to motorists traveling on adjacent public streets or are inadequate for the safety of occupants or users of the site or such provisions damage the value and diminish the usability of adjacent properties.
- 6) The proposed development will create undue fire safety hazards by not providing adequate access to the site, or to the buildings on the site, for emergency vehicles.
- 7) In cases where a Phase I plan has been approved, there is a substantial change in the Phase II site plan from the approved Phase I site plan, such that the revised plans will not meet the standards provided by this paragraph.
- 8) The proposed conditional use does not comply with all the standards applying to permitted uses within the underlying zoning district, or with standards specifically applicable to the type of conditional use under consideration, or with specific ordinance standards dealing with matters such as signs which are part of the proposed development, and a variance to allow such deviation has not been secured by the applicant.

61.147 **Conditions on Approval:** In considering an application for a development permit to allow a Conditional Use, the designated hearing body shall consider and may impose modifications or conditions to the extent that such modifications or conditions are necessary to insure compliance with the criteria of Paragraph 61.146.

109
ENGINEERS

ARCHITECTS

SURVEYORS



SUBSTANTIAL LAND ALTERATION

June 9, 2003

Ms. Mitzi Baker
Olmsted County Planning
2122 SE Campus Drive
Rochester, MN 55904

**RE: Substantial Land Alteration
Badger Hills Subdivision
Rochester, Minnesota**

Dear Ms. Baker:

This letter is to serve as a request for substantial land alteration approval for the above referenced preliminary plat. The existing agricultural land will be regraded to be suitable for residential applications. Generally, the top of the existing hill will be cut down and be used to level the site to more suitable grades. The materials will all stay on-site.

The grading would be completed in Summer 2003. Two temporary sediment ponds will be graded as a part of this work. The street and utilities would be completed for Phase 1 in the Fall of 2003. Generally, the streets will be graded to six percent (6%) slopes or less.

Please call if you have any questions.

Sincerely,

YAGGY COLBY ASSOCIATES

A handwritten signature in cursive script, appearing to read 'William S. Anderson'.

William S. Anderson, PE

WSA:bsd
YCA #7324-010-2
Attachment: Grading Plan with 10' cuts and fills marked

ROCHESTER OFFICE:

717 Third Avenue SE

Rochester, MN 55904

507-288-6464

Fax 507-288-5058

MPLS/ST PAUL OFFICE:

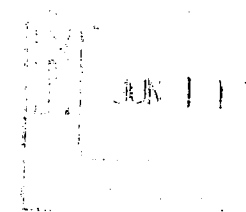
651-681-9040

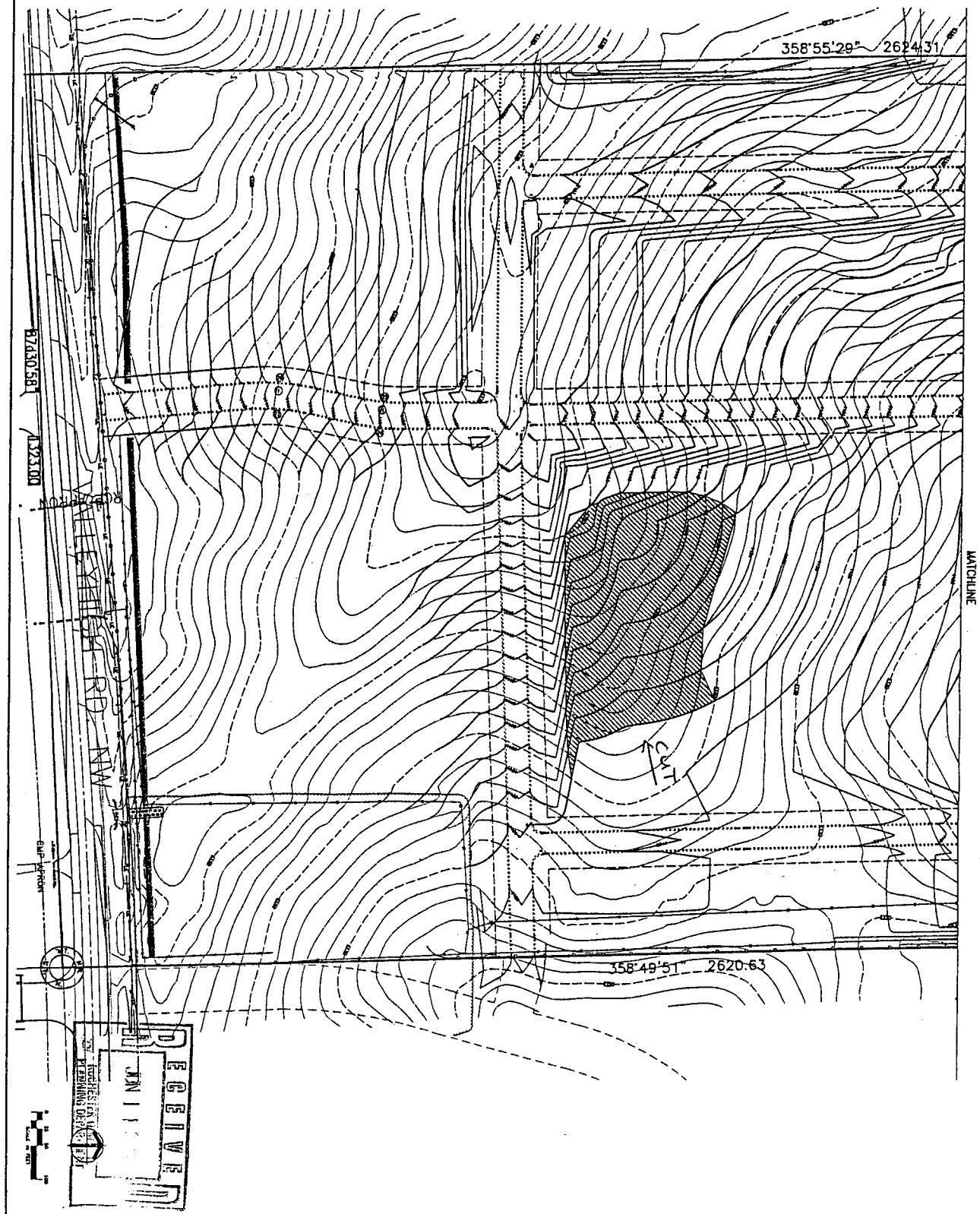
MASON CITY OFFICE:

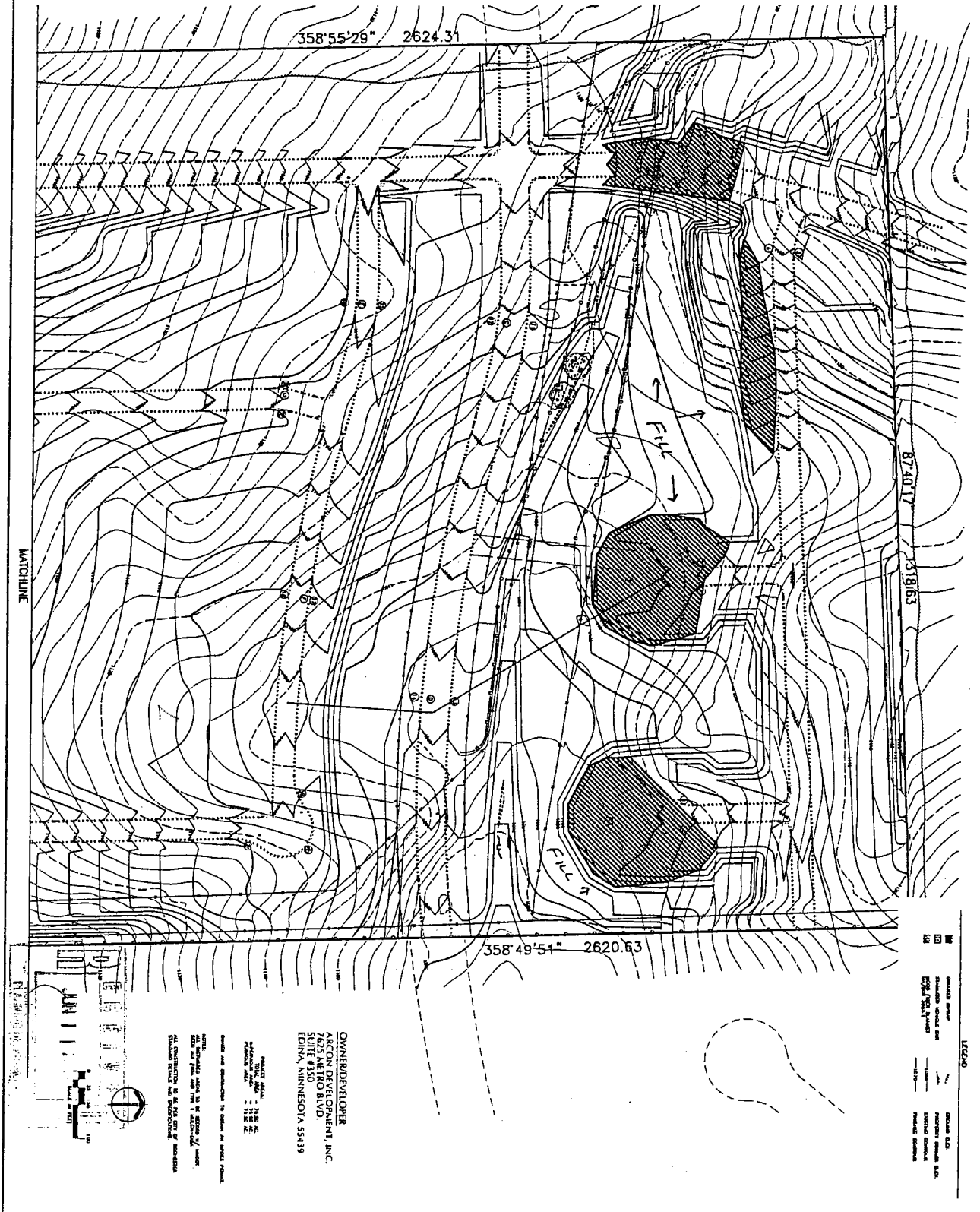
641-424-6344

DELAFIELD OFFICE:

262-646-6855







BADGER HILLS SUBDIVISION ROCHESTER, MN SUBSTANTIAL LAND ALTERATION



Project No.	2111
Location	2215640101
Date	03/11/03
Drawn by	YCA
Checked by	YCA
Scale	1" = 100'

111

112

ROCHESTER

— Minnesota —

TO: Consolidated Planning Department
2122 Campus Drive SE
Rochester, MN 55904

DEPARTMENT OF PUBLIC
WORKS
201 4th Street SE Room 108
Rochester, MN 55904-3740
507-287-7800
FAX – 507-281-6216

FROM: Mark E. Baker

DATE: 7/2/03

The Department of Public Works has reviewed the application for Preliminary Plat #03-19, for the Badger Hills proposed development. The following are Public Works comments on this request:

1. Prior to Final Plat submittal, the applicant shall enter into a Development Agreement with the City that outlines the obligations of the applicant relating to, but not limited to, substandard street reconstruction charges & Traffic Improvement District charges, stormwater management, park dedication, traffic improvements, pedestrian facilities, right-of-way dedication, access and extension of utilities for adjacent properties, and contributions for public infrastructure, including the applicants up front contribution required for the extension of the J7710 Sanitary Sewer & Watermain project to serve this Property.
2. Phasing for development of the northerly portion of this proposed plat with gravity flow sanitary sewer will be dependant on extension of services through the currently undeveloped property east of this plat, or will require a private lift station. A feasibility report has been requested and is being prepared by Public Works for the proposed J7710 project.
3. A Storm Water Management Fee will apply to any area of this proposed development that do not drain the existing on-site detention facilities in Badger Ridge.
4. Pedestrian facilities will be required along both sides of all new public roads within this property, as well as, along the entire northerly frontage of Valleyhigh Rd NW. A bituminous pedestrian path will required along the 41st St extension, Valleyhigh Rd, and park access points including the mid-block connection, in lieu of 5 foot concrete sidewalk.

ROCHESTER

— Minnesota —

TO: Consolidated Planning Department
2122 Campus Drive SE
Rochester, MN 55904

113
DEPARTMENT OF PUBLIC
WORKS
201 4th Street SE Room 108
Rochester, MN 55904-3740
507-287-7800
FAX – 507-281-6216

FROM: Mark E. Baker

5. Upon request, the Owner shall dedicate the mid-block connection Outlots to the City.
6. The pedestrian paths along 41st St NW and Valley High Rd NW are shown on the preliminary plat outside of the right-of-way. The Owner is obligated to dedicate a public pedestrian facility easement, of sufficient width to accommodate construction and maintenance of said facilities, at no cost to the City.
7. Controlled access should be required along the entire frontage of Valleyhigh Rd NW, with the exception of any approved street access. Additional controlled access is required within 250 feet of the right-of-way intersection of Valley High Rd NW and Avenue 'A', and along the entire frontage of 41st St NW.
8. Development will be limited to 1200 daily trips until a second access is provided to this property.
9. Ownership & maintenance of Outlots 'D' & 'E' need to be addressed prior to Final Plat approval.
10. No parking should be allowed on either side of 41st St NW, and on Avenue 'A', within 200 feet of the Valleyhigh Rd NW right-of-way.
11. Preliminary Construction Plan comments will be forwarded separately to the applicants consulting Engineer.

114

ROCHESTER

— Minnesota —

TO: Consolidated Planning Department
2122 Campus Drive SE
Rochester, MN 55904

DEPARTMENT OF PUBLIC
WORKS
201 4th Street SE Room 108
Rochester, MN 55904-3740
507-287-7800
FAX – 507-281-6216

FROM: Mark E. Baker

Charges/fees applicable to the development of this property will be addressed in the Development Agreement and will include (rates below are current through 7/31/03):

- ❖ Sanitary Sewer Availability Charge (SAC) @ \$1790.25 per developable acre.
- ❖ Water Availability Charge @ \$1790.25 per developable acre.
- ❖ Contribution of 60% of the total cost for the J7710 project, estimated to be \$129,660.00.
- ❖ Transportation Improvement District (TID) Charges - TBD
- ❖ Storm Water Management, for any areas that do not drain to detention facilities privately constructed by the Owner to serve this property – TBD
- ❖ First Seal Coat @ square yard of public street surface
- ❖ Traffic Signs as determined by the City Engineer.



115-

June 18, 2003

Rochester-Olmsted
CONSOLIDATED PLANNING DEPARTMENT
2122 Campus Drive SE
Rochester, MN 55904-7996

REFERENCE: Preliminary Plat #03-19 by Badger Hills LLC to be known as Badger Hills Subdivision.

Dear Ms. Garness:

Our review of the referenced preliminary plat is complete and our comments follow:

1. Approximate static water pressures within this area will range from 49 to 79 PSI.
2. Additional utility easements and water system improvements will be needed on Lot 1, Block 1 and Lot 1, Block 2 as these areas develop. These should be planned out at this time however, so stub-outs can be properly installed for looping of the water mains to provide adequate fire flows and water quality to these areas.
3. Other revisions to the proposed water system layout are required. We have provided the applicant's engineering firm with these comments.

Please contact us at 507-280-1600 if you have questions.

Very truly yours,

Donn Richardson
Water

C: Doug Rovang, RPU
Mike Engle, RPU
Mark Baker, City Public Works
Vance Swisher, Fire Prevention Bureau
Gary Schick, Building & Safety
Bill Anderson, Yaggy Colby Associates
Badger Hills LLC

114



we pledge. we deliver

DATE: June 17, 2003

TO: Jennifer Garness, Planning Dept.
Rochester-Olmsted Planning Dept.

FROM: Michael J. Engle, Supv. of Distribution Design
Rochester Public Utilities
280-1579

SUBJECT: Land Subdivision Permit (Preliminary Plat) #03-19 by Badger Hills LLC to be known as Badger Hills Subdivision. The Plat proposes to subdivide 79.50 acres of land into 171 lots for residential development and 5 outlots. The plat also proposes right-of-way dedication for public roadways. The applicant is also requesting approval of a Substantial Land Alteration to permit site grading that will modify grades by more than 10 feet on portions of the property. The property is located along the north side of Valley High Road NW, west of West Circle Drive and west of 50th Ave. NW.

RPU's Operations Division review of the above-referenced land subdivision permit (preliminary plat) is complete and our comments follow:

1. We request a 10' wide utility easement along the south lot lines of Lot 1, Block 1 and Lot 1, Block 2.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael J. Engle', with a stylized flourish at the end.

la

c. Badger Hills LLC
Yaggy Colby Associates



117 -

ROCHESTER PARK AND RECREATION DEPARTMENT
201 FOURTH STREET SE
ROCHESTER MINNESOTA 55904-3769
TELE 507-281-6160
FAX 507-281-6165

M E M O R A N D U M

DATE: June 26, 2003

TO: Jennifer Garness
Planning

RE: Badger Hills
Preliminary Plat #03-19

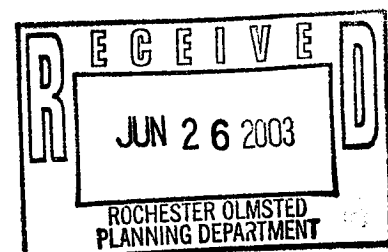
Acreage of plat.....	79.50 a
Number of dwelling units.....	171 units *
Density factor.....	.0244
Dedication	4.17 a
Fair market value of land.....	\$20,000 / a

- dedication for Block 1 Lot 1 and Block 2 Lot 2 to be calculated when site plans and # of dwelling units is known.

The Park and Recreation Department recommends that dedication requirements be met via: a combination of land (5.0 acre Outlot A) and cash with payments due prior to recordation of the final plat.

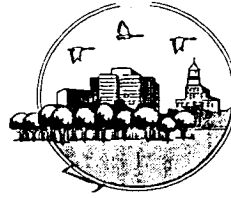
The applicant should be required to submit the proposed grading plan for the park site (Outlot A) the Park and Recreation Department for review.

Outlot A to be deeded to the City when graded and turf is established and when the site is accessed via public street.



REVISED

118



Rochester-Olmsted Planning Department
GIS/Addressing Division
2122 Campus Drive SE
Rochester, MN 55904-4744
Phone: (507) 285-8232
Fax: (507) 287-2275

PLAT REFERRAL RESPONSE

DATE: June 24, 2003

TO: Theresa Fogarty

FROM: Randy Growden
GIS/Addressing Staff
Rochester-Olmsted County
Planning Department

CC: Wade Dumond

**RE: BADGER HILLS
PRELIMINARY PLAT #03-19**

A review of the **preliminary plat** has turned up the following **ADDRESS** and **ROADWAY** related issues.

1. 41 Street NW is being called out without a directional.

RECOMMENDATION: Add directional of NW so it reads **41 Street NW**.

NOTE: All other roadways in plat need to have numbering or naming coordinated with our office.



The hand to reach for...
DAVID A. KAPLER
Fire Chief

DATE: June 23, 2003

TO: Jennifer Garness, Planning

FROM: R. Vance Swisher
Fire Protection Specialist

SUBJ: Land Subdivision Permit (Preliminary Plat) #03-19 by Badger Hills LLC to be known as Badger Hills Subdivision. The Plat proposes to subdivide 79.50 acres of land into 171 lots for residential development and 5 Outlots.

With regard to the above noted project plan, the fire department has the following requirements:

1. An adequate water supply shall be provided for fire protection including hydrants properly located and installed in accordance with the specifications of the Water Division. Hydrants shall be in place prior to commencing building construction.
 2. Streets and roadways shall be as provided in accordance with the fire code, RCO 31 and the Zoning Ordinance and Land Development Manual. Emergency vehicle access roadways shall be serviceable prior to and during building construction.
 - a) Streets less than 26 feet in width shall be posted "No Parking" on one side of the street. Streets less than 28 feet in width shall be posted "No Parking" on both sides of the street. The street leading to the cul-de-sac looks to be less than 28 feet in width and therefore will require "No Parking" signage posted on both sides of the road.
 - b) Cul-de-sacs less than 96 feet in diameter shall be posted "No Parking". The cul-de-sac looks to be less than 96 feet in diameter and therefore shall be posted "No Parking"
 3. All street, directional and fire lane signs must be in place prior to occupancy of any buildings.
 4. All buildings are required to display the proper street address number on the building front, which is plainly visible and legible from the street fronting the property. Number size must be a minimum 4" high on contrasting background when located on the building and 3" high if located on a rural mail box at the public road fronting the property. Reflective numbers are recommended.
- c: Donn Richardson, RPU, Water Division
Badger Hills LLC – Riverside Bldg. Suite 100 – 400 S Broadway – Rochester, MN 55904
Yaggy Colby Associates – 717 3rd Ave SE – Rochester, MN 55904

120

WETLAND COMMENTS FOR DEVELOPMENT APPLICATIONS

Application Number: Preliminary Plat #03-19 - Badger Hills, LLC

- ☐ No hydric soils exist on the site based on the Soil Survey
- ☒ Hydric soils exist on the site according to the Soil Survey. The property owner is responsible for identifying wetlands on the property and submitting the information as part of this application.
- ☐ A wetland delineation has been carried out for the property and is on file with the Planning Department.
- ☐ A wetland delineation is on file with the Planning Department and a No-Loss, Exemption, or Replacement Plan has been submitted to the Planning Department.
- ☐ A wetland related application has been approved by the City. This plan incorporates the approved wetland plan.
- ☐ No hydric soils exist on the property based on the Soil Survey. However, due to the location in the landscape, the property owner should examine the site for wetlands. The property owner is responsible for identifying wetlands.
- ☒ Other or Explanation:

No wetland delineation has been completed and provided to the Planning Department. Any filling of wetland will require an alternatives analysis and replacement plan.